



# NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.  
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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For Immediate Release:  
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## **QUARTERLY REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS RELEASED**

Washington, DC – The Commission has released its report on the inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) during the fourth quarter of calendar year 2005.

Wireless complaints decreased from 6,873 in the 3<sup>rd</sup> quarter to 4,956 in the 4<sup>th</sup> quarter. There were decreases in each of the Wireless categories. Wireline complaint receipts increased from 20,899 to 21,726. However, there were declines in each of the categories, except the Cramming and Telephone Consumer Protection Act categories.

The number of Radio and Television Broadcasting complaints significantly increased from 26,368 in the 3<sup>rd</sup> quarter to 44,287 in the 4<sup>th</sup> quarter. The biggest increase occurred in the Indecency/Obscenity category, from 26,185 to 44,109. Cable and Satellite Services complaints decreased from 243 in the 3<sup>rd</sup> quarter to 225 in the 4<sup>th</sup> quarter. There were declines in each of the categories, except Accessibility Issues (32) and Cable Modem Services (43).

There was a slight decline in the number of wireless inquiries received during the 3<sup>rd</sup> quarter as they fell from 9,446 in the 3<sup>rd</sup> quarter to 9,246 in the 4<sup>th</sup> quarter. Tower Issues replaced Commercial License Issues as one of the top wireless inquiry categories this quarter. Wireline inquiries increased from 23,507 in the 3<sup>rd</sup> quarter to 27,549 in the 4<sup>th</sup> quarter. Radio and Television Broadcasting inquiry receipts also increased from 1,975 in the 3<sup>rd</sup> quarter to 3,390 in the 4<sup>th</sup> quarter. The Low Power Issues category was replaced by Accessibility Issues within the Radio and Television Broadcasting top inquiry total this quarter. Cable and Satellite Services inquiries increased from 3,508 in the 3<sup>rd</sup> quarter to 3,953 in the 4<sup>th</sup> quarter. There were increases in each of the top categories, except Over the Air Reception Device Issues.

The Commission receives many inquiries and complaints that do not involve violations of the Communications Act, or a rule or order of the Commission. The existence of a complaint does not necessarily indicate wrongdoing by the company at issue.

CGB contact: Mary Beth Richards at (202) 418-1400.

- FCC -

**REPORT ON INFORMAL CONSUMER INQUIRIES AND COMPLAINTS**  
**4<sup>th</sup> Quarter Calendar Year 2005**  
**Executive Summary**

This report tracks consumer inquiries and complaints processed by the Consumer & Governmental Affairs Bureau (CGB) received during the 4<sup>th</sup> quarter of calendar year 2005.<sup>1</sup> Inquiries are defined as correspondence or communications received at the Commission from individuals seeking information on matters under the FCC's jurisdiction. Informal consumer complaints are defined as a communication received at CGB's consumer centers either via postal mail, fax, email, internet, or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or injury; and (iii) seeks relief.

Wireless complaints decreased from 6,873 in the 3<sup>rd</sup> quarter to 4,956 in the 4<sup>th</sup> quarter. There were decreases in each of the Wireless categories. Wireline complaint receipts increased from 20,899 to 21,726. However, there were declines in each of the categories, except the Cramming and Telephone Consumer Protection Act categories.

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There was a slight decline in the number of wireless inquiries received during the 3<sup>rd</sup> quarter as they fell from 9,446 in the 3<sup>rd</sup> quarter to 9,246 in the 4<sup>th</sup> quarter. Tower Issues replaced Commercial License Issues as one of the top wireless inquiry categories this quarter. Wireline inquiries increased from 23,507 in the 3<sup>rd</sup> quarter to 27,549 in the 4<sup>th</sup> quarter. Radio and Television Broadcasting inquiry receipts also increased from 1,975 in the 3<sup>rd</sup> quarter to 3,390 in the 4<sup>th</sup> quarter. The Low Power Issues category was replaced by Accessibility Issues within the Radio and Television Broadcasting top inquiry total this quarter. Cable and Satellite Services inquiries increased from 3,508 in the 3<sup>rd</sup> quarter to 3,953 in the 4<sup>th</sup> quarter. There were increases in each of the top categories, except Over the Air Reception Device Issues.

The Commission receives many inquiries and informal complaints that do not involve violations of the Communications Act, or a rule or order of the Commission. The existence of a complaint does not necessarily indicate wrongdoing by the company or companies at issue.

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<sup>1</sup> The data reported reflect the complaints and inquiries recorded in CGB's automated tracking systems for the period October 1, 2005 to December 31, 2005. The information generated for this specific report is information entered into the tracking systems on or before a specific date. In addition, the data within this report account for statistics at the national level as reported to the Commission and, therefore, are not necessarily indicative of corresponding state or local trends.

## **Top Consumer Issues – Subject Category Reference Guide**

### **CABLE & SATELLITE SERVICES**

**Accessibility Issues:** Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming

**Billing & Rates:** Complaints/inquiries concerning billing matters and the rates charged for cable programming service (or expanded basic) tier on a cable system or satellite services

**Cable Modem Service:** Complaints/inquiries regarding cable modem service

**Connections to Cable Systems:** Complaints/inquiries regarding availability or quality of connections to cable systems

**Over-The-Air-Reception-Devices (OTARD) Issues:** Complaints/inquiries regarding the installation, maintenance or use of antennas -- including direct-to-home satellite dishes that are less than one meter (39.37") in diameter (or of any size in Alaska), TV antennas, and wireless cable antennas -- to receive video programming

**Programming Issues:** Complaints/inquiries regarding program content or the choice of channels or programs available to subscribers

**Satellite Home Viewer Improvement Act (SHVIA):** Complaints/inquiries regarding SHVIA issues

**Service Related Issues:** Complaints/inquiries about the quality of service provided by cable operators or satellite programming distributors

### **RADIO & TELEVISION BROADCASTING**

**Accessibility Issues:** Complaints/inquiries regarding video description, closed captioning, and emergency access to video programming

**Commercial Advertisement Issues:** Complaints/inquiries regarding commercial advertisements

**General Broadcast Information:** Inquiries regarding general broadcast requirements, licenses, and community obligations

**How to Start Broadcast Station:** Inquiries regarding starting a broadcast station

## **Programming Issues**

- Indecency/Obscenity: Complaints/inquiries regarding programs that allegedly contain indecent or obscene material
- Loud Commercials: Complaints/inquiries regarding abrupt changes in volume during transition from regular programming to commercials
- Religious: Complaints/inquiries regarding religious programs
- Violence: Complaints/inquiries regarding violence in programs
- General Content Criticism: generalized concerns regarding the content of programs

## **WIRELESS TELECOMMUNICATIONS**

**Amateur License Issue:** Inquiries regarding Amateur license acquisition, requirements, eligibility, and replacement

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates - Airtime Charges:** Complaints/inquiries regarding charges to subscriber for actual time spent talking on a wireless phone

**Billing/Rates-Credit/Refunds/Adjustments:** Complaints/inquiries regarding credits, refunds, or bill adjustments

**Billing/Rates - Line Items:** complaints/inquiries regarding surcharges and taxes appearing on a phone bill

- Access Charge: Complaints/inquiries regarding miscellaneous line items charges
- E-911: Complaints/inquiries regarding provision of automatic location information and automatic number identification via a wireless phone used to contact a 911 call center
- Taxes: Complaints/inquiries regarding taxes appearing on cellular bill
- Universal Service: Complaints/inquiries about the availability and affordability of phone service for low income consumers in geographic areas where the costs of providing telephone service is high

**Billing/Rates – Recurring Charges:** Complaints/inquiries over recurring monthly charges that appear on a customer's bill

**Billing/Rates – Roaming Rates:** Complaints/inquiries about charges assessed to the subscriber for wireless calls made while roaming in another carrier's territory

**Billing/Rates – Rounding:** Complaints/inquiries about the practice of rounding calls to a full minute

**Billing/Rates – Service Plan Rate:** Complaints/inquiries about the terms and conditions of service:

- Activation Fee: usually one time charge to initiate service
- Off-Peak: specified time where per-minute rate is lower

- Optional Services: including caller-id, voice mail, road-rescue, etc.
- Peak: specified time where per-minute rate is higher
- Prepaid Service: subscriber pays for service in advance
- Promo Plan: including minute allowances
- Security Deposit: usually one time charge that is held by the carrier for a specified timeframe in order for subscriber to acquire service

**Carrier Marketing & Advertising:** Complaints/inquiries regarding advertising and marketing practices of carriers including alleged misrepresentations

**Commercial License Issues:** Inquiries regarding commercial licenses.

**Contract – Early Termination:** Complaints/inquiries regarding termination of a subscriber’s service prior to end of specified contract term

- Termination of Service by subscriber: subscriber’s liability for terminating service prior to specified contract term
- Termination of Service by carrier: carrier’s right to disconnect a subscriber’s service prior to end of a specified contract term

**Electrical Interference Issue:** Inquiries regarding unwanted signals from nearby transmitters to home entertainment electronic equipment

**General Mobile Radio Service (GMRS) License Issue:** Inquiries regarding GMRS license acquisition, requirements, eligibility, and replacement

**Land Mobile (LM) License Issue:** Inquiries regarding LM license acquisition, requirements, eligibility, and replacement

**Service – Quality/Coverage:** Complaints/inquiries regarding quality of service or the lack of coverage within a geographic area served by a wireless provider:

- Dead Spots: inability to receive service within certain areas
- Dropped Calls: premature termination of calls
- Home Area Service: overall quality of service within the subscriber’s local calling area
- Network Busy Signal: involving calls that do not go through because of overcrowding of the service frequencies
- Roaming Availability: availability of service outside the subscriber’s local calling area
- Roaming Service: overall quality of service while roaming
- Service Interruption: inability to use cellular phone because service was interrupted by service provider

## **WIRELINTELECOMMUNICATIONS**

### **Billing and Rates-Related – Includes the Following Subcategories:**

**Billing/Rates Credit/Refunds/Adjustments:** Complaints/inquiries about credits, refunds, or adjustments allegedly owed to the subscriber

**Billing/Rates – Line Item:** Complaints/inquiries about the line items appearing on telephone bills:

- Access – Subscriber Line Charge: questions regarding subscriber local-loop line charges for maintaining residential and business and telephone access to the network
- Access – Universal Service: questions regarding the FCC’s universal service fund-affordable access to basic telephone service for low-income consumers and consumers in high-cost areas, and communications services for schools and libraries and health care facilities
- Interstate Directory Assistance: questions about charges assessed for access to directory assistance information
- Taxes on Telephone Bill: questions about local, state, or federal taxes appearing on a telephone bill
- Truth in Billing - No Service Provider ID: Complaints/inquiries about whether the name of the service provider and/or contact information for the service provider is easily identifiable on the bill
- Truth in Billing - Bundled Charges: Complaints/inquiries about whether bills contain plain language description and breakdown of charges for each carrier when multiple carriers appear on the bill
- Truth in Billing - No Payment Solution: Complaints/inquiries about whether a bill clearly distinguishes charges for which nonpayment will result in disconnection from those that will not result in disconnection

**Billing/Rates – Rates:** Miscellaneous complaints/inquiries about the rates and charges billed by telephone companies:

- Casual Call Billing: rates billed for calls placed from non-public phones through a carrier who is not the presubscribed carrier for the telephone (or which does not recognize a telephone number as that of a subscriber)
- Double Billing: dispute involving alleged double billing for calls or services
- DSL Rate Problem: DSL promotion plan rates allegedly altered or unspecified to consumer
- International Internet Dial-up: international calls (routed to places like Chad, Madagascar or other countries) that were billed to consumers as a result of using local (domestic) Internet service providers to access websites
- International Calls – Rates: international calls, rates and/or service that either originate or terminate in the U.S.
- International 809# Billing: 809 area code collect call and consumer dialing scam

- 900 Pay-Per-Call Billing: commercially provided interstate 900 number information or entertainment services
- OSP Rates: rates charged for interstate calls placed from public phones
- Rates for Interstate Telecommunications Services – Billing: disputes about interstate rates and charges

**Billing/Rates – Recurring Charges**: Complaints/inquiries about recurring charges that appear on a customer’s bill

**Carrier Marketing & Advertising**: Complaints/inquiries regarding the marketing and advertising practices of interexchange carriers

**Card (Calling & Prepaid) Issues**: Complaints/inquiries regarding long distance service provider issued and/or prepaid calling cards

**Cramming**: Complaints/inquiries about allegedly unauthorized, misleading, or deceptive charges appearing on a telephone bill

**Digital Service Line (DSL) Issues**: Complaints/inquiries regarding DSL issues

**Slamming**: Complaints/inquiries regarding the practice of changing a subscriber’s telecommunications service provider (or a calling plan) without the subscriber’s permission

- International slam: changing a subscriber’s international long distance service without permission
- Local Service slammed: changing a subscriber’s local or regional intrastate long distance service without permission
- Local and Long Distance slammed: changing a subscriber’s local and long distance service without permission
- Long Distance slammed: changing a subscriber’s interstate telephone company service without permission
- Slamming w/Problem LOA: changing a subscriber’s interstate telephone company based on fraudulent signed documents or illegal format, such as sweepstake

**Service Quality**: Complaints/inquiries regarding the quality of service provided by telephone companies:

- DSL Service Inadequate: poor quality of service or service outage
- Interstate Telecommunications: poor call reception, service outage, service disconnects, or carrier’s failure to release telephone line (and no charges are associated)
- Long Distance Service Treatment: inadequate customer service treatment by long distance carrier including, but not limited to, additional services being added without the consumer’s knowledge or approval, etc.

**Telephone Consumer Protection Act (TCPA):** Complaints/inquiries regarding compliance with the TCPA:

- Artificial or Prerecorded Message and/or ATDS: calls to a residence using an artificial or prerecorded voice to deliver a message without prior consent of the called party prohibited unless an emergency exists
- Do Not Call List Request Not Honored: no person or entity may initiate any telephone solicitation to a residential telephone subscriber, unless such person or entity has instituted procedures for maintaining a list of persons who have requested not to receive telephone solicitations
- Fax Complaint: unsolicited (“junk”) faxes or the use of a computer or other device to send any messages via a telephone facsimile prohibited unless such message clearly contains the date and time it is sent and an identification of the business, other entity or individual sending the message
- TCPA General Solicitations: the initiation of a call or message for the purpose of encouraging the purchase or rental of, or investment in property, goods, or services
- Time of Day violation: no person or entity may initiate any telephone solicitation to a residential telephone subscriber before 8 a.m. or after 9 p.m. (local time based on the called party’s location)

**Summary of Top Consumer Complaint\* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**Fourth Quarter - Calendar Year 2005**

	October	November	December	Quarter Total
<b>Cable &amp; Satellite Services</b>				
Accessibility Issues	8	12	12	32
Billing & Rates	21	15	22	58
Cable Modem Service	11	16	16	43
Programming Issues	10	8	7	25
Service Related Issues	26	23	18	67
<i>Totals</i>	76	74	75	225

	October	November	December	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
Accessibility Issues	12	16	16	44
Programming - General Criticism	62	44	23	129
Programming - Indecency/Obscenity **	544	1,375	42,190	44,109
Other Programming Issues	4	1	0	5
<i>Totals</i>	622	1,436	42,229	44,287

	October	November	December	Quarter Total
<b>Wireless Telecommunications</b>				
Billing & Rates	968	829	683	2,480
Carrier Marketing & Advertising	224	177	158	559
Contract - Early Termination	285	217	197	699
Equipment	126	121	106	353
Service Quality	343	278	244	865
<i>Totals</i>	1,946	1,622	1,388	4,956

	October	November	December	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	1,000	828	732	2,560
Cramming	146	116	120	382
Service Quality	232	261	229	722
Slamming	141	125	100	366
Telephone Consumer Protection Act	5,924	5,802	5,970	17,696
<i>Totals</i>	7,443	7,132	7,151	21,726

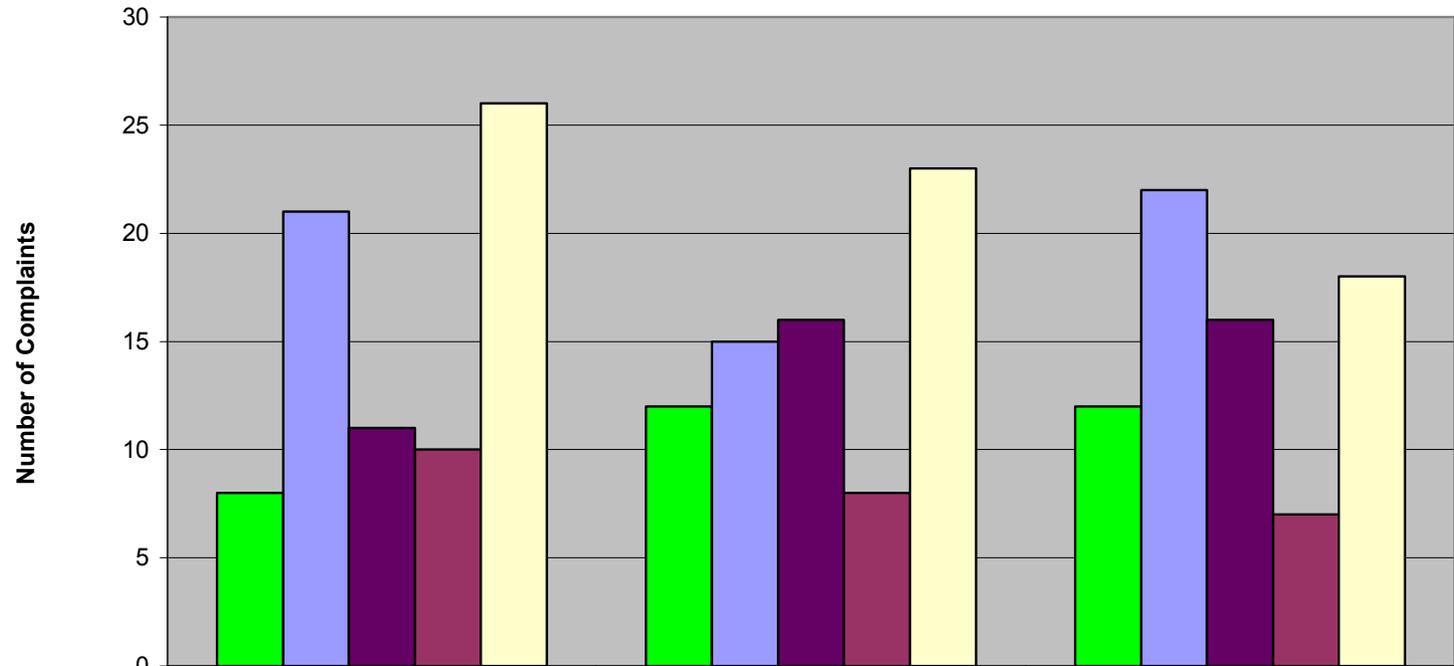
**NOTES:** (1) See attachment for brief description of subject categories.

\* A complaint is defined as a communication received at CGB's consumer center either via letter, fax, email, internet, or telephone from or on behalf of an individual that: (i) identifies a particular entity under the FCC's jurisdiction; (ii) alleges harm or injury; and (iii) seeks relief. The FCC receives many complaints that do not involve violations of the Communications Act or a FCC rule or order. The existence of a complaint does not necessarily indicate wrongdoing by the company involved.

\*\* Complaints regarding alleged indecency/obscenity during specific programs are forwarded to the Enforcement Bureau (EB) for appropriate handling. The reported counts reflect complaints received by CGB, complaints received separately by EB, and complaints emailed directly to the offices of the FCC Chairman and the respective offices of the Commissioners. The reported counts may also include duplicate complaints or contacts that subsequently are determined insufficient to constitute actionable complaints.

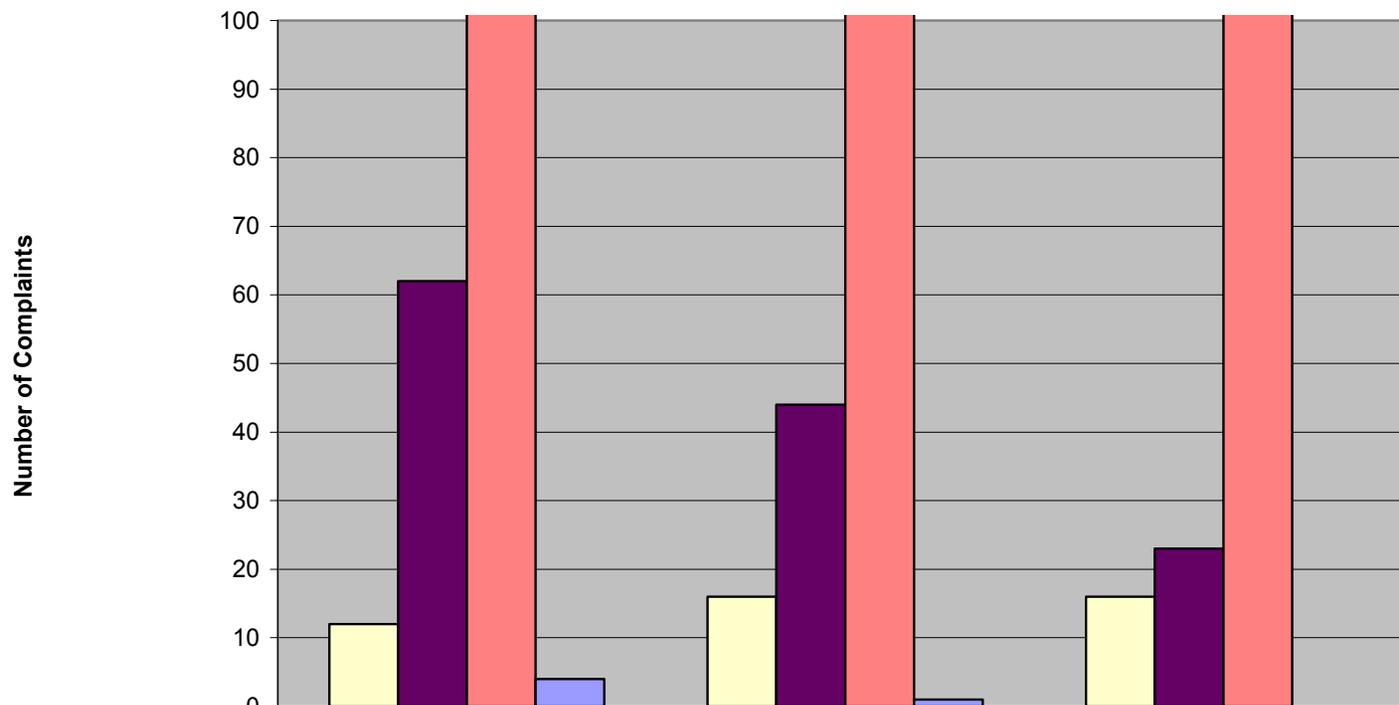
The data within this report account for statistics at the national level as reported to the Commission, and therefore are not necessarily indicative of corresponding state or local trends.

**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Complaints  
Fourth Quarter - Calendar Year 2005**



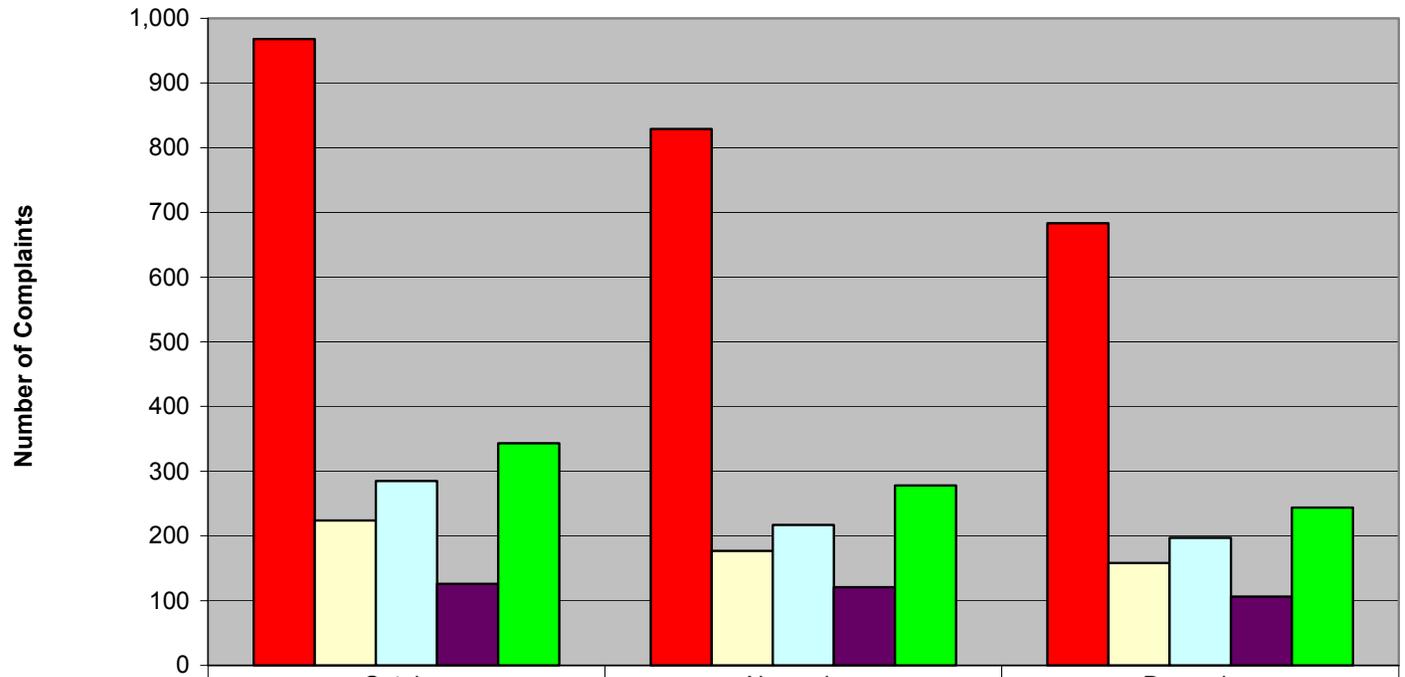
	October	November	December
■ Accessibility Issues	8	12	12
■ Billing & Rates	21	15	22
■ Cable Modem Service	11	16	16
■ Programming Issues	10	8	7
■ Service Related Issues	26	23	18

**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Consumer Complaints  
Fourth Quarter - Calendar Year 2005**



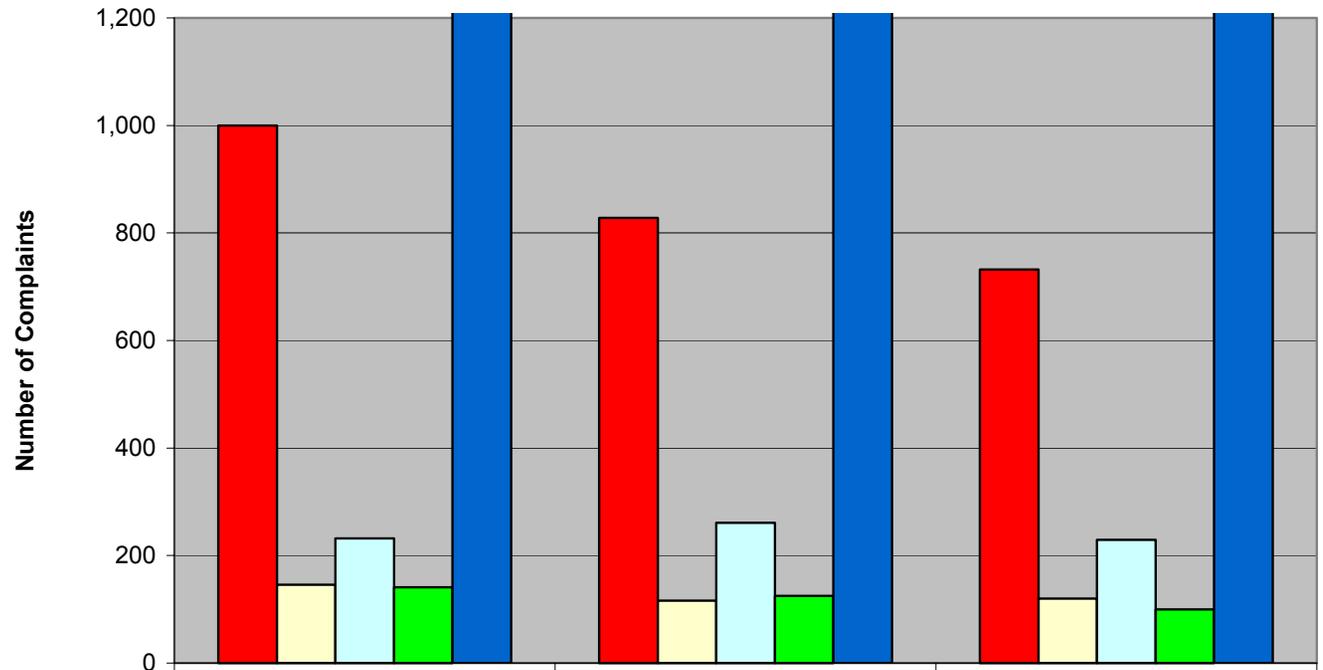
	October	November	December
Accessibility Issues	12	16	16
Programming - General Criticism	62	44	23
Programming - Indecency/Obscenity	544	1,375	42,190
Other Programming Issues	4	1	0

**Consumer & Governmental Affairs Bureau  
Top Wireless Telecommunications Consumer Complaints  
Fourth Quarter - Calendar Year 2005**



	October	November	December
■ Billing & Rates	968	829	683
□ Carrier Marketing & Advertising	224	177	158
□ Contract - Early Termination	285	217	197
■ Equipment	126	121	106
■ Service Quality	343	278	244

**Consumer & Governmental Affairs Bureau  
Top Wireline Telecommunications Consumer Complaints  
Fourth Quarter - Calendar Year 2005**



	October	November	December
■ Billing & Rates	1,000	828	732
■ Cramming	146	116	120
■ Service Quality	232	261	229
■ Slamming	141	125	100
■ Telephone Consumer Protection Act	5,924	5,802	5,970

**Summary of Top Consumer Inquiry\* Subjects**  
**Processed by the FCC's Consumer & Governmental Affairs Bureau (CGB)**  
**Fourth Quarter - Calendar Year 2005**

	October	November	December	Quarter Total
<b>Cable &amp; Satellite Services</b>				
Over the Air Reception Device Issues	199	182	126	507
Programming Issues	175	153	126	454
Satellite Home Viewer Improvement Act Issues	162	200	162	524
Satellite Issues	363	300	315	978
Service-Related Issues	520	452	518	1,490
<i>Totals</i>	1,419	1,287	1,247	3,953

	October	November	December	Quarter Total
<b>Radio &amp; Television Broadcasting</b>				
Accessibility Issues	155	259	322	736
Commercial Advertisement Issues	128	130	130	388
General Broadcast Information	194	187	134	515
How to Start Broadcast Station	119	136	122	377
Programming & Content	825	827	846	2,498
<i>Totals</i>	1,421	1,539	1,554	3,390

	October	November	December	Quarter Total
<b>Wireless Telecommunications</b>				
Amateur License	422	454	450	1,326
Electrical Interference	1,635	1,323	1,356	4,314
General Mobile Radio Service License	740	903	1,062	2,705
Land Mobile License	173	189	142	504
Tower Issues	143	131	123	397
<i>Totals</i>	3,113	3,000	3,133	9,246

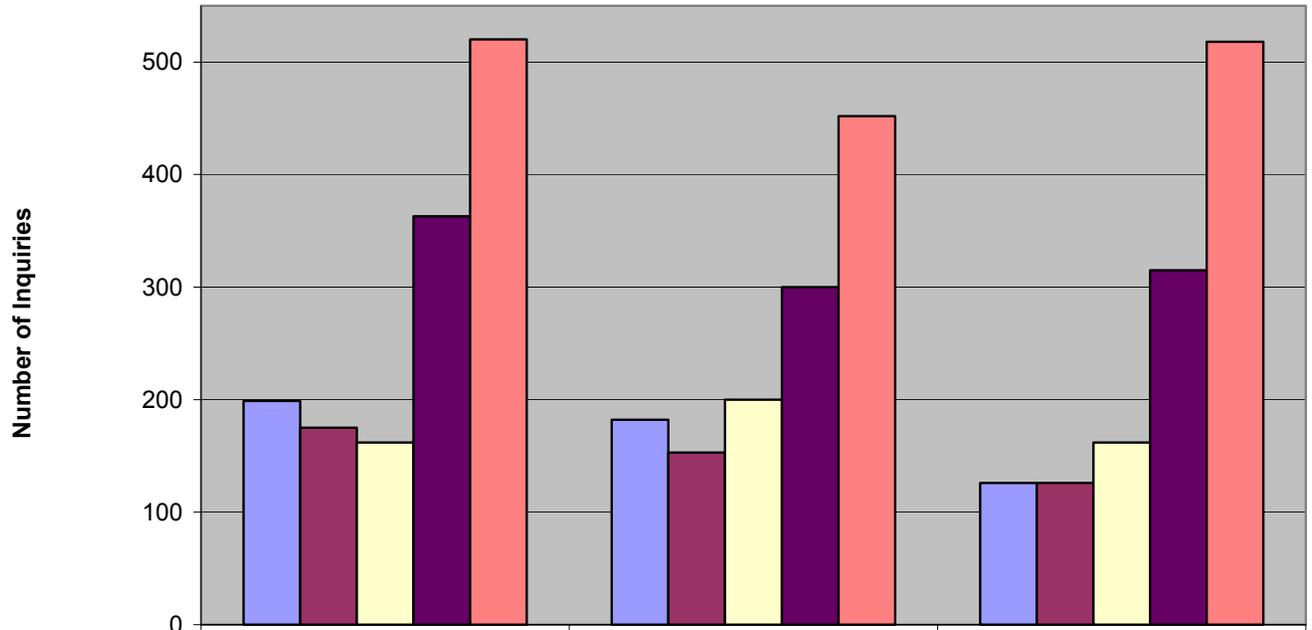
	October	November	December	Quarter Total
<b>Wireline Telecommunications</b>				
Billing & Rates	1,184	949	729	2,862
Cramming	1,717	1,594	1,480	4,791
Digital Subscriber Line Issues	134	154	138	426
Slamming	2,338	2,082	2,046	6,466
Telephone Consumer Protection Act	4,512	4,078	4,414	13,004
<i>Totals</i>	9,885	8,857	8,807	27,549

**NOTES:**

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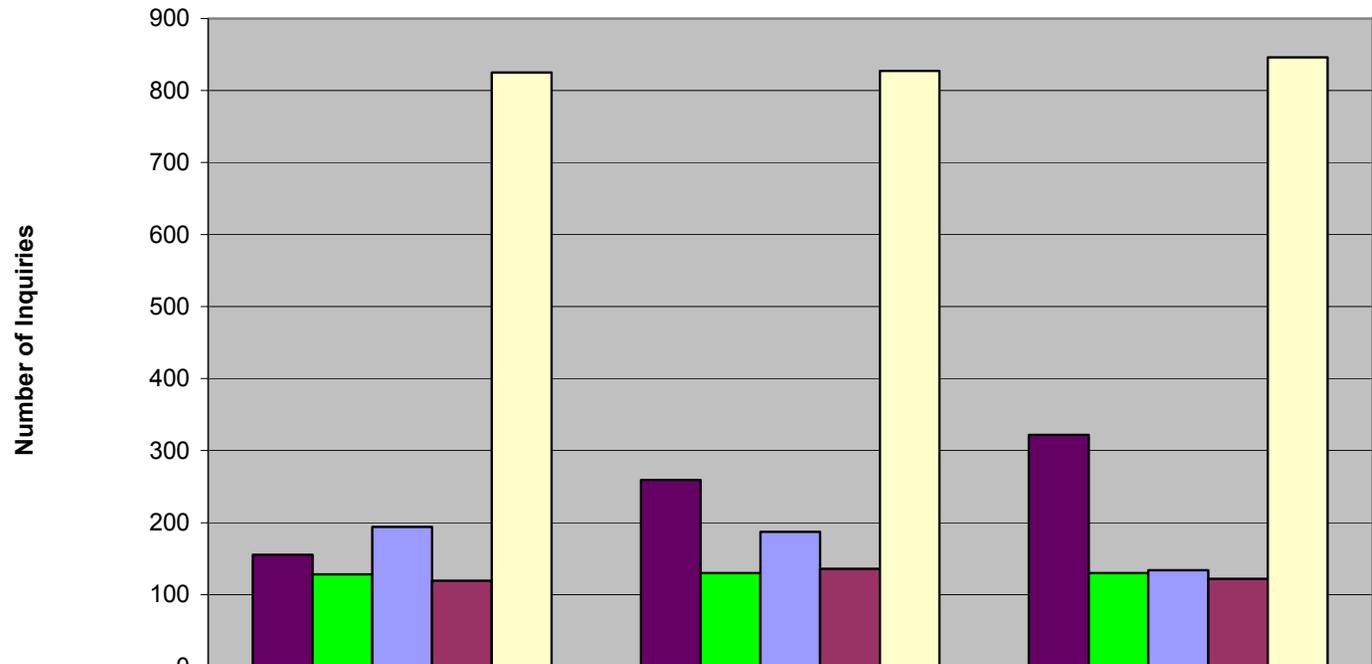
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**Consumer & Governmental Affairs Bureau  
Top Cable Service Consumer Inquiries  
Fourth Quarter - Calendar Year 2005**



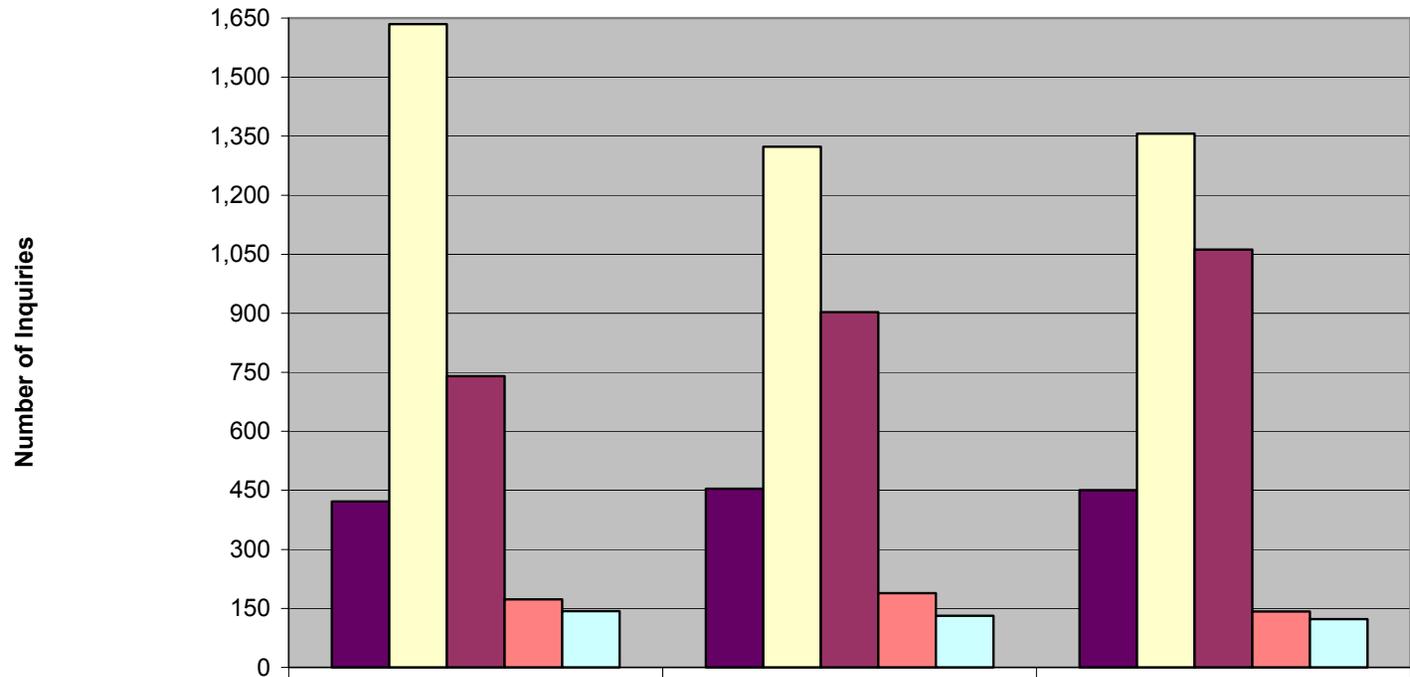
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**Consumer & Governmental Affairs Bureau  
Top Radio & Television Broadcasting Inquiries  
Fourth Quarter - Calendar Year 2005**



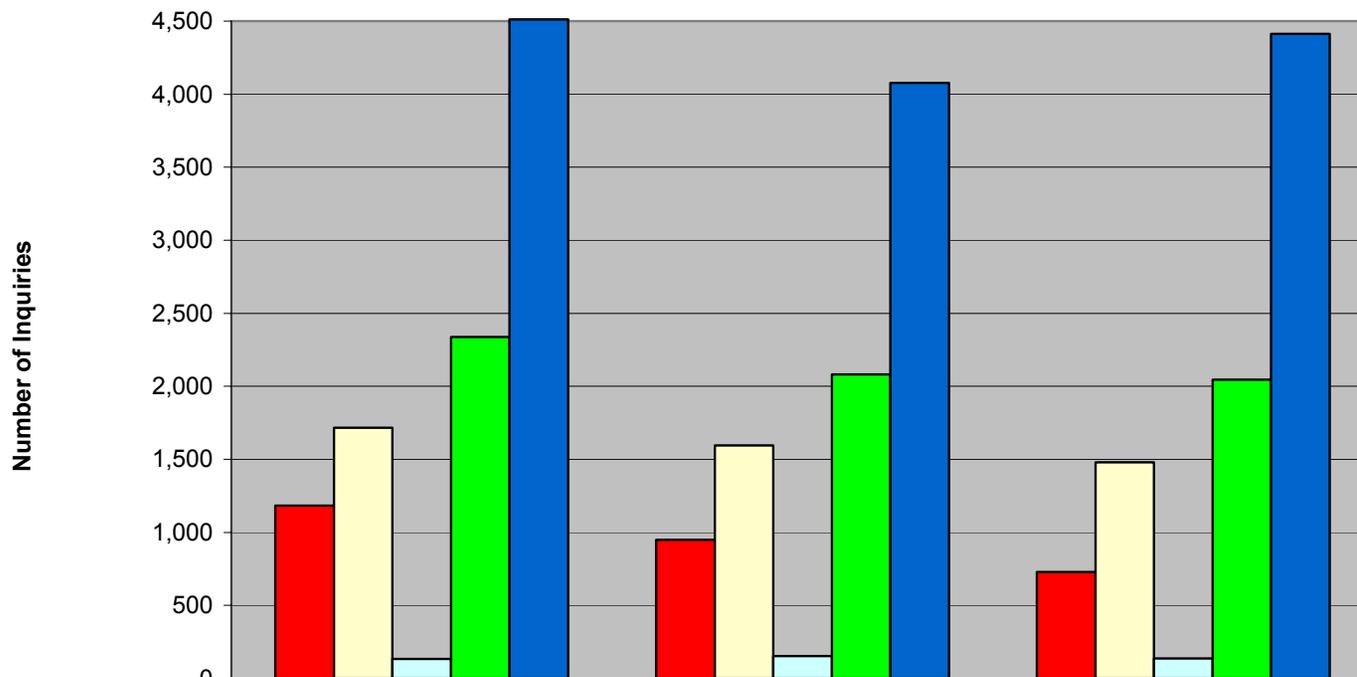
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Fourth Quarter - Calendar Year 2005**



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**Consumer & Governmental Affairs Bureau  
Top Wireline Telecommunications Consumer Inquiries  
Fourth Quarter - Calendar Year 2005**



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